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GEORGE M. PALMER, and EVALENE R. PALMER, his wife. Lewistown, Maryland

IN THE CIRCUIT COURT FOR

FREDERICK COUNTY, MARYLAND,

Complainants

IN EQUITY.

**V3** 

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ESLI S. CONWAY, Individually and ESLI S. CONWAY, T/A
CONWAY ELECTRIC COMPANY, and/or SUTTON CONSTRUCTION COMPANY
Rt. 3, Frederick, Maryland
Defendant

NO. 19633 EQUITY

ANSWER TO BILL OF QUIA TIMET

TO THE HONORABLE JUDGES OF SAID COURT:

Defendant, Esli S. Conway, in answer to The Bill of Complaint respectfully says:

- 1. He denies the allegations of Paragraph 1 of the Bill of Complaint and further explains that the Petitioners show doubt as to their ownership by their instituting of said action "Quia Timet."
- 2. He denies the allegations of Paragraph 2 and further explains that the Deed referred to as "Exhibit A" conveying only certain interest and does not convey all interest or how interest obtained by James A. P. Mathias and Marcella Mathias, his wife, and Mara C. Mathias. This same is found in "Exhibit B" where John J. Mathias and Nancy E. Mathias, his wife, do not convey all interest and do not show where interest obtained. These Deeds, "Exhibits A & B," do not refer to the same tract of land. The Deeds do not show all the interests vested in this tract of land nor do they convey this tract in fee-simple. Defendant further denies that in reference to Paragraph 2 (c) that Dr. Thomas E. R. Miller had actual possession and did not have full claim and complete color of title to said tract of land. At the time of and more than 20 years before and more than 20 years after the death of Dr. Thomas E. R. Miller, Mrs. Ruth Bowie lived and occupied and used said house and land on said property and also Charles Bowie lived and died on same land. Ruth Bowie by the records of the Frederick Alms House, called Montevue, left said property on February 5, 1951 and was admitted to Montevue where she died on November 23, 1955, 40 years after the death of Dr. Thomas E. R. Miller, 39 years after the death of Margaret Elizabeth Delaplane Miller, widow of Dr. Thomas E. R. Miller; when since that time and after Mrs. Bowie's death, no person occupied, maintained or used said property until the defendant openly rezoned the property to Commercial use in 1958 and moved his equipment and material and now openly